

DOI Work Activity 7M: Conduct Endangered Species Listing Activities

Program Area:	Non-Invasive Species
End Outcome Goal:	PEO 2 – Sustain Biological Communities on DOI Managed and Influenced Lands and Waters in a Manner Consistent with Obligations Regarding the Allocation and Use of Water
Intermediate Outcome:	This activity does not align to an intermediate outcome
DOI Sub process:	4d - Conserve resources (perform resource treatments)

Examples/Notes: This activity applies only to FWS and refers to domestic listings.

Work Activity Description: Tasks: for US/domestic species, prepare 30-day responses, 90-day findings, 12-month findings and Federal Register Package; perform activities for revised listing packages; prepare and process special 4(d) rules that accompanies package; prepare and process 4(d) rules and critical habitat rules that are integral with listing package; compile relevant information; conduct status reviews, including National Marine Fisheries Service technical assistance; provide technical assistance on listing issues; write, review, and brief proposed and final finding, listing rules, critical habitat rules, and accompanying rulemaking documents; identify critical habitats; produce economic analyses of critical habitat designations; comply with other regulatory requirements, such as Small Business Regulatory Flexibility Act and Executive Order 12866, the Unfunded Mandates Reform Act and Executive Orders 12630 and 12988; develop maps; hold public hearings and take, assemble and respond to public comments; post legal notices; obtain and conduct peer reviews; respond to Notice(s) of Intent; provide input for responding to complaints or drafting declarations; assist with legal briefs; compile administrative records; provide input into negotiations; assist with settlement memos and discoveries; respond to interrogatories and depositions; provide expert testimony; conduct court hearings and negotiations; coordinate and develop litigation strategy with Office of the Solicitor; ensure National Environmental Policy Act compliance; compile, analyze, and report digital spatial data; compile record of compliance; provide program management and research; prepare and process policy and guidance documents; maintain litigation database

Note: The Service must make finding within 90 days of receiving a petition as to whether or not there is "substantial information" indicating that the petitioned listing may be warranted.

Note: The Service must make finding within 9 months of the 90-day finding that there is "substantial information" indicating that the petitioned listing may be warranted. There are two distinct actions for petition management. The first step in 30/90 day finding; however, not all 90-day findings will trigger a 12-month action. 90-day findings that are substantial require 12-month findings that funded at a different level, and require public notice or status review. 12-month findings could result in listing a species.

Note: Publication in the Federal Register of a 12-month finding makes public the Service's decision on a petition to list a species as threatened or endangered under the Federal Endangered Species Act. That finding is based on a detailed assessment of the available information on the species, as detailed in the species' status review. One of three possible conclusions can be reached as part of the finding: that listing is warranted, not warranted, or warranted but presently precluded by other higher-priority listing activities involving other species.

Note: Listing a species as threatened or endangered provides the species with protections under Endangered Species Act. These include restrictions on taking, transporting, or selling species; a requirement that federal agencies not fund, permit or undertake activities that would jeopardize the continued existence of the species; authorization for the Service to develop and carry out recovery plans; authority to purchase important habitat; and federal aid to state wildlife agencies that have cooperative agreements with the Service. This activity includes revisions and corrections to listing packages, as well as reclassifications from threatened to

endangered.

Note: The law provides for designation of "critical habitat" for listed species when judged to be "prudent and determinable". Critical habitat includes geographic areas on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection. Critical habitats may include areas not occupied by the species at the time of listing but that are essential to the conservation of the species. Critical habitat designations affect only federal agency actions or federally funded or permitted activities. This activity includes revisions and corrections to critical habitat packages.

Laws, regulations: Endangered Species Act Section 4, 50CFR424, 50CFR17.11, 50CFR17.12, 50CFR17.40-48, 50CFR17 subpart E, National Environmental Policy Act

Output: Endangered species listings produced	Unit of Measure: Number of listings
Inputs:	Cost Drivers:

System Interfaces:

DOI Program Area Contact: